

LIVINGSTON EMPLOYER BREEZE

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REGIONALIZATION

By Tom Frisby

First, before I talk about the recent regionalization of Job Service Workforce Centers, let me congratulate Joyce Heiser on being selected as the Manager of the Livingston Job Service Workforce Center. Joyce brings a wealth of experience, knowledge and skills to her new position from both private industry and government service. She is importantly a Livingston resident. Joyce has worked as an Employment Service Specialist and Employment Service Supervisor at the Livingston Job Service Workforce Center. She is familiar with Employment Services, Adult Training Services, Dislocated Worker Assistance and Welfare to Work Programs. She has excellent connections with the Bozeman Job Service Workforce Center and looks forward to continuing the relationship between the two Centers. Joyce is dedicated to providing outstanding service to Park and Sweet Grass Counties. Again, congratulations Joyce.

Your Montana Job Service Workforce Centers have combined into 5 Regions across the state of Montana. Job Service Region 4 includes the Livingston, Lewistown and Billings Job Service Workforce Centers. Why Regionalization?

Increasing Customers Focus and Service; Leveraging of Physical Resources of the Centers and the Talents of the Outstanding Staff; and Meeting the Challenges of Workforce and Economic Development are the answers.

You, our customer, and the communities in our service area have always provided input which has driven our decisions on services to be offered and projects to be undertaken. Having a region wide perspective will increase our responsiveness to the types of services you want and need in this time of rapid global economic change.

The resources and assets of all three Centers will be available across the region for better service. Staff have already assisted our customers and other Centers by participating in projects in the region.

The leveraging of the talents of staff across the three centers will allow increased Customer Focus, one of our top CORE Values. Job Service has always had talented staff in its Centers. By regionalizing, the staff in the three Centers will be available to assist customers and their fellow staff throughout the region. Staff with specialized knowledge will be able to provide region wide services.

Staff synergy across the region will assist with "Continuous Improvement for Increased Customer Satisfaction."

Increased communication between Centers means more job opportunities and knowledge for Job/Career Seekers and increased services and larger applicant pools for Businesses.

Regionalization better aligns Job Service Workforce Centers with other Workforce and Economic Development agencies, thus giving those in Workforce and Economic development more partnerships and coordination opportunities to assist in building our economy.

Region 4, south central Montana, is a unique and special area of the state. We have an excellent agricultural base, coal and hard rock mining, energy production – oil, coal and wind, a vibrant business and commercial community and outstanding health care facilities. As Job Service Workforce Centers, we have made the move to regionalization to better meet the needs of you, our customers - Job/Career Seekers; Businesses and Communities.

I feel privileged to have the Livingston Job Service Workforce Center in my region. My grandfather was the Station Agent for the Northern Pacific in Livingston in the 1940's and in the early 1950's an ambassador taking dignitaries, who rode the North Coast Limited west, through Yellowstone Park. I had the opportunity to tour my grandparent's former home recently. The tour brought back excellent memories of spending time in Livingston and surrounding counties. I look forward to assisting in providing resources to Park and Sweet Grass Counties for Workforce and Economic Development.

Meet your "NEW" Livingston Job Service Workforce Center Staff

By Joyce Heiser

One thing we can be certain of in both business and life is that nothing ever stays the same. This summer the Department of Labor and Industry implemented a state-wide reorganization of local Job Service offices that is

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designed to positively position us for the future of workforce development and employment and training programs.

It's true that change typically makes people nervous and raises questions about how it will affect them. One thing that isn't slated to change is the well-established presence of the Livingston Job Service Workforce Center and our involvement in our local communities.

For more years than most of us can remember, Livingston Job Service staff members have served the businesses, employers, job seekers, residents and visitors in Park and Sweet Grass Counties! Our name, location and staff may change—our commitment to providing a full range of services to our communities continues to grow with each innovation.

It's a pleasure and an honor to 'take over' from Al Maurillo as manager and to work for the community with the professional staff of the Livingston Job Service Workforce Center. We have a great team of highly skilled people working for **you** right here in the local Job Service office:

Elizabeth Anderson	Susan Hanken
Zanya Betley	Jean Modesette
Gail Habener	Skip Shiver

And of course, myself—Joyce Heiser

This talented group of people brings a wealth of experience, creativity and dedication to their jobs. They draw on skills gained in many walks of life, from formal education, jobs in private enterprises, as business owners or managers, work with non-profit organizations, volunteer work and of course, their training and experience gained from working right here, for you, as employees of Job Service.

As part of 'regionalization', Al Maurillo accepted a promotion to Regional Director for Region 2. Our office is part of Region 4 and we're glad to welcome Tom Frisby as our Regional Director. (See his article in this newsletter.) Another change for our office is that Jerri Miller retired, leaving her position as Business Advocate. While she's enjoying the fruits of a long and distinguished career of public service, we're recruiting a new Business Advocate so stay tuned for more changes!

We've expanded from matching your open jobs with people seeking employment to helping develop a skilled workforce while providing a broad range of Human Resources services to businesses as well as promoting economic development. Montana has a great track record of leading the way in workforce innovations. Our Business Advocate program which began a few years ago addresses a specific need in Montana's economic picture. Many mid-to small businesses aren't in the position to afford a dedicated HR professional to keep up with the rapidly changing laws and standard practices. The Business Advocates respond to that need and provide quality HR

services and offer you the best tools and knowledge to help your businesses and our communities continue to grow and prosper.

We invite you to come see or call any of us with your ideas, suggestions, questions and concerns. Our doors are open and we welcome you! Please visit our local website, <http://wsd.dli.mt.gov/local/livingston> to see the many tools and resources readily available at your fingertips.

All of us at the Livingston Job Service Workforce Center look forward to working with all of you as we look forward to the future of business, employment and careers in Montana!

EFFECTIVE APPLICATION PROCESSES

By Zanya Betley

If you're wondering why you don't seem to have the number of applicants you want or need, you may want to consider revising your application process.

With the latest unemployment rate in Park County at 1.7% and Sweet Grass County at 1.1%, career seekers have their pick of positions available. It stands to reason that you as an employer will want to make your application process as effortless as possible.

Picture the following scenario: Amy Applicant is a career seeker at the Job Service office, who also searches from home on our website. Amy pours over literally hundreds of available positions (an average of 100 positions in Park and Sweet Grass Counties and an additional 400 – 600 in Gallatin County). She narrows down the positions she is interested in applying for.

Let's say Amy finds 5 positions doing clerical/reception/bookkeeping work to pursue. Two positions accept a resume/application via email, two require her to submit an application to the local Job Service, and one requires her to drop off her resume at ABC, Inc. and speak with Jane in the HR department.

Now... Amy's a bit tired after what was easily several hours' worth of reading job descriptions, updating her resume, filling out applications, etc., etc., etc. She quickly zips off her resume in an email. Providing Amy is already working from the Job Service office, it is also just as painless to submit her resume to an employment consultant on her way out.

NOW... She is tired, maybe hungry. She really doesn't want to drive across town to see (and more importantly be seen by) a potential employer. Maybe, she decides, it will be better to wait until tomorrow when she's feeling more refreshed.

It's tomorrow. Amy needs to make a few follow-up calls, have some breakfast, and one more cup of coffee before heading out to drop off that last resume and continue her job search. As her eggs are cooking, the phone rings. It's an employer who received Amy's emailed resume the day before. They are impressed with Amy's

skills and experience and would like to know if she can interview today. (Seem fast? In this job market they may even be calling to offer the job and snatch her up before someone else!) Now instead of dropping off that final resume, Amy prepares for a 2:00 p.m. interview. When Amy is offered and accepts the position she just interviewed for, company ABC, Inc. never has a clue she was even interested in their position.

It is my observation that employers who accept resumes and applications via email receive far more applicants than those that require them to deliver applications in person. Employers seem to be catching on as more and more are including an email address as means to apply and some employers are accepting emailed resumes exclusively. By streamlining the process, you make it more inviting to apply. An employer who shows that flexibility also sends a message to potential employees that their time is valuable.

If email is not an option for you right now there are still many alternatives available to you that provide an efficient means by which applicants can apply. Job Service can collect the applications/resumes for you. Applicants can then drop off or email their resume to Job Service. Applications can be faxed or mailed directly to you. The bottom line is the easier you make your application process the more applicants are likely to apply. Anything you can do to add choices for the job seeker is going to be a plus, allowing you to appeal to more individual's style preferences.

If you would like more information regarding application processes, screening, or ideas on attracting more job seekers; contact an employment consultant at your local Job Service. Call the Livingston Job Service Workforce Center at 406 222-0520, or stop by 220 East Park Street.

TAKIN' CARE OF BUSINESS — HOW MUCH TIME IS ENOUGH?

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In some jobs, it's important for employees to be available when needed. Determining whether "on-call" time is work time that has to be paid for is tricky business and usually depends on how much free time the employee has. The Montana Supreme Court has said that a five- to seven-minute response time isn't enough, even if you live in a very small town.

Facts

Joe and Rhonda Sands worked as emergency medical technicians (EMTs) for the town of West Yellowstone. As most of you are aware, West Yellowstone is a small resort town and the west entrance to Yellowstone Park. During the summer, it's quite busy, but things slow down considerably in the winter. The town nonetheless has a

year-round ambulance service and uses both paid EMTs and volunteers. The Sandses were hired as EMTs in 1998 and 1999. They left in 2003.

The Sandses were two of the four EMTs employed by West Yellowstone. The EMTs had two kinds of shifts: station time and on-call time. They were paid a proper wage for station time and time spent responding to emergency calls. On-call time, however, was a different story. When on call, EMTs were paid one hour's wages for every four hours of scheduled on-call time.

Response time

During the day, on-call EMTs had to respond to emergency calls within five minutes. Between 8:00 p.m. and 8:00 a.m., response time was seven minutes. Failure to meet the required response time subjected the EMT to disciplinary action. EMTs were prohibited from using alcohol while on call and were provided radios to monitor emergency calls. The town had originally hoped to staff on-call shifts with volunteers, thus freeing the EMTs to take care of personal business. Over the years, however, the number of volunteers diminished, and the EMTs were required to be on call for longer periods of time.

Because West Yellowstone is so small, an EMT could be anywhere in town and respond to an emergency call within five or seven minutes. The small size of the town was a problem, too. With such a short response time, the EMTs couldn't conduct any business outside of town, and services available in town were quite limited. While on call, it wasn't possible to go hiking, fishing, or camping, see a doctor or dentist, or attend an out-of-town event. In fact, the Sandses said they had to keep the radio near their bed, and over the years, Rhonda claimed to have experienced sleep deprivation and health problems as a result.

The claim

The Sandses finally resigned from their positions in 2003 and filed a complaint claiming that their activities were so restricted that their on-call time was actually work time and they should have been fully compensated under the Fair Labor Standards Act (FLSA). The town asked for judgment without a trial, and the court granted it, concluding that the Sandses' on-call time wasn't work time under the FLSA. The Sandses appealed.

The standard

The Montana Supreme Court noted that there have been many cases addressing whether on-call time is work time. The determination hinges on whether an employee has been "engaged to wait" or is "waiting to be engaged." In the first case, the time is compensable; in the second, it isn't. That definition, however, isn't very helpful. A more helpful analysis is whether on-call time "is spent predominantly for the employer's benefit or for the employee's." That of course, depends on the facts of the case.

In this case, the Montana court noted that the following issues hadn't been resolved:

- * Was a five-minute response time too restrictive?
- * How much could the Sandeses work at their second job as a result of being on call?
- * How restricted were their opportunities to pursue personal interests?
- * When called out, how long did the emergency call last?

The supreme court sent the case back to the district court to let a jury decide just how much time was enough. *Sands v. Town of West Yellowstone*, 2007 MT 110 (May 8, 2007)

Practical application

If you have on-call workers, how can you determine whether you must pay for on-call time? The main criterion is whether the employee is free to pursue her own interests during the time. Some courts have said that response times of 20 minutes to a half-hour probably do allow an employee to pursue personal interests. But if your employee lives far from essential services, that might not be nearly enough.

A second factor that's often considered is whether

employee is disciplined for failing to respond. If there are no consequences and the employer simply goes to the next name on the list, then the time probably isn't compensable. When (as in this case) the employee is *expected* to respond and is disciplined for failing to do so, on-call time might more properly be characterized as compensable.

Current Statistics, July 2007

	<u>U.S.</u>	<u>Montana</u>
Unemployment Rate	4.9%	2.3%
<u>AREA</u>	<u>July 2006</u>	<u>July 2007</u>
Gallatin	2.0%	1.4%
Meagher	2.7%	3.1%
Park	2.5%	1.7%
Sweet Grass	1.2%	1.1%

Montana ranks third in the United States for having the lowest seasonally adjusted unemployment. Idaho ranked first and Hawaii was second.